

1 VALY-2015-0016

2 BILL NO. G-15-03-07

3 Plat Book: 5

4 Page No: 19

5 GENERAL ORDINANCE NO. G-_____

6 AN ORDINANCE amending the Thoroughfare
7 Plan of the City Comprehensive ("Master")
8 Plan by vacating public right-of-way.

9 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
10 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
11 Indiana; and

12 WHEREAS, Common Council of the City of Fort Wayne, Indiana duly held a public hearing
13 and approved said petition, as provided in I.C. 36-7-3-12.

14 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
15 FORT WAYNE, INDIANA:

16 SECTION 1. That the petition filed herein to partially vacate a public right-of-way within the
17 City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

18 Part of Winter Addition as recorded in Plat Book 5, Page 19, as recorded in the Office of the
19 Recorder of Allen County, Indiana; more particularly described as follows:

20 Beginning at the Northeast corner of Lot Number 4 in Winter Addition as recorded in Plat
21 Book 5, Page 19, as recorded in the Office of the Recorder of Allen County, Indiana, said
22 point being on the West right-of-way line of Winter Street; thence North along the West
23 right-of-way line Winter Street a distance of 12 feet to the Southeast corner of Lot Number
24 12 in Colonel Reed's Addition as recorded in Plat Book 58, Page 396, as recorded in the Office
25 of the Recorder of Allen County, Indiana; thence West along the South line of Lot Numbers
26 10, 11, and 12 a distance of 128.67; thence South parallel to the West right-of-way line of
27 Winter Street a distance of 12 feet to the Northwest corner of Lot Number 4 in Winter
28 Addition; thence East along the North Line of Lot Number 4 a distance of 128.67 feet to the
29 Point of Beginning, containing 0.035 acres.

30 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
any and all necessary approval by the Mayor.

COUNCILMEMBER

1 APPROVED AS TO FORM AND LEGALITY:

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3 Carol T. Helton, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2015-0016
Bill Number: G-15-03-07
Council District: 6-Glynn Hines

Introduction Date: March 10, 2015

Public Hearing Date: March 24, 2015

Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate a portion of an east-west, twelve-foot wide alley within the Winter Addition.

Location: North of 2518 Winter Street, and south of 1518 Fisher Street, approximately 130 feet in length.

Reason for Request: Approval of the alley vacation will allow the Office of Housing and Neighborhood Services to better design the site plan for a new Urban Farm on the adjacent property.

Applicant: Office of Housing and Neighborhood Services

Property Owner: Office of Housing and Neighborhood Services

Related Petitions: Development Standards Variance for a four-foot tall fence with BZA

Effect of Passage: Vacation of the alley will allow space for better drainage, an accessible sidewalk, additional greenspace and better defined circulation.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities may be limited.

Filed on 2/9/15

CITY OF FORT WAYNE

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 / 260.427.1221

I/We do hereby petition to vacate the following:

 Easement X Public Right of Way (street or alley)

More particularly described as follows:

Alley North of 2518 Winter St. extending 133ft from
the Winter St. curb & stopping at the intersection of
the alley running North & South.

See attached Docs.

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DEED BOOK NUMBER: 5 PAGE(S) NUMBER(S): 19 (This information can be
obtained from the Allen County Recorder's Office on the 2nd Floor, City-County Building, One Main
Street, Fort Wayne, IN) 8-4-1908

The reasons for the proposed vacation are as follows:

- 1) Reduce traffic flow from Winter St to Reed St
- 2) Provide proper drainage for 2518 Winter
- 3) Provide space for a ramped sidewalk
- 4) Additional green space

(If additional space is needed please attach separate page.)

The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

Applicant's name(s) if different from property owner(s):

Name: Office of Housing and Neighborhood Services (City of Fort Wayne) C/O Jack Close

Street Address: 200 East Berry St. Suite 320

City: Fort Wayne State: IN Zip: 46802 Phone: 260-427-2154

rec'd DPS
from H&N SUCS.

2154

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the For Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

① Helen D Greene HELEN D. GREENE 2/9/15
Signature Printed Name Date
1518 FISHER ST FORT WAYNE IN 46803-3511 Lots 11 & 12
Address 260 456-3770 City/State/Zip

② Colessus Lyons Colessus Lyons 2/9/15
Signature Printed Name Date
1510 Fisher St Fort Wayne, IN 46803-3511
Address (260) 745-7993 City/State/Zip

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): Jack A Close Jr.

Street Address: 200 E. Berry St
City: Fort Wayne State: IN Zip: 46802 Phone: 260-427-2154

NOTICE:

- Legal Description is to be the area to be vacated and must be complete and accurate. If necessary a licensed surveyor's legal description may be required.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicant may be required to bear the cost of relocation, or of providing a replacement easement or easement's as needed.

For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: Wayne 12 0-03

Reference #: VALY-2015-0016

VACATION PLAT

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 29500021 IN
MICHAEL W. HARRIS PLS 21100018 IN

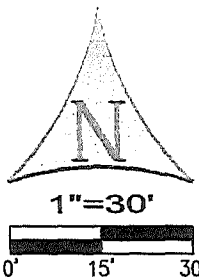
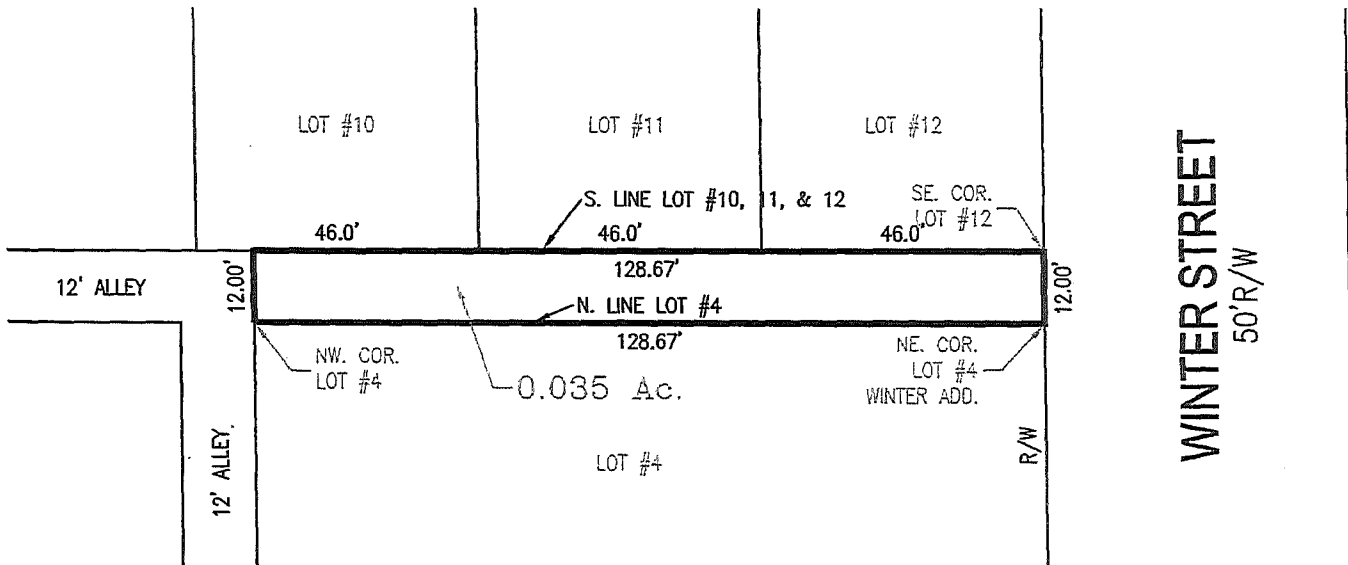
DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

JOHN R. DONOVAN PE, PLS (RETIRED)

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows:

PART OF WINTER ADDITION AS RECORDED IN PLAT BOOK 5 PAGE 19 AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHEAST CORNER OF LOT NUMBER 4 IN WINTER ADDITION AS RECORDED IN PLAT BOOK 5 PAGE 19 AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF WINTER STREET; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF WINTER STREET A DISTANCE OF 12 FT TO THE SOUTHEAST CORNER OF LOT NUMBER 12 IN COLONEL REED'S ADDITION AS RECORDED IN PLAT BOOK 58, PAGE 396 AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE WEST ALONG THE SOUTH LINE OF LOT NUMBERS 10, 11, AND 12 A DISTANCE OF 128.67; THENCE SOUTH PARALLEL TO THE WEST RIGHT OF WAY LINE OF WINTER STREET A DISTANCE OF 12 FT TO THE NORTHWEST CORNER OF LOT NUMBER 4 IN WINTER ADDITION; THENCE EAST ALONG THE NORTH LINE OF LOT NUMBER 4 A DISTANCE OF 128.67 FT TO THE POINT OF BEGINNING CONTAINING 0.035 ACRES.



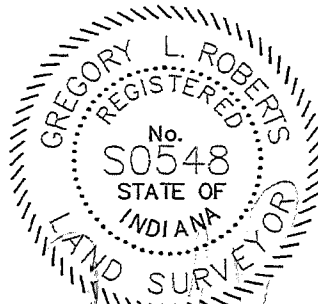
Job No.: 15-7178 Date: 02/12/15
Job for: CITY OF FORT WAYNE

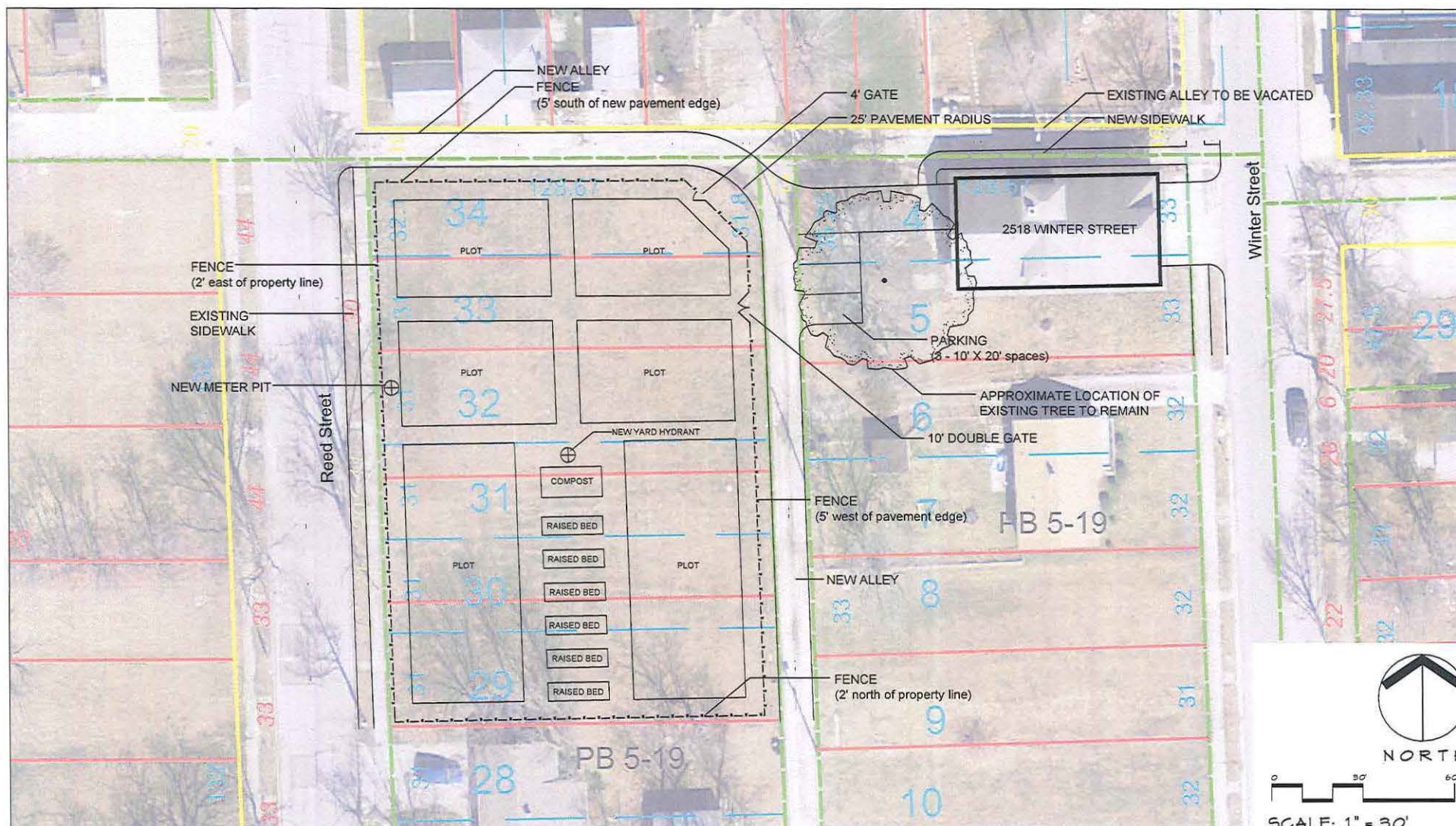
LEGEND

IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RRF	Railroad Spike Found
PKF	P.K. Nail Found
MNF	Mag Nail Found
MNS	Mag Nail Set
IPS	5/8" rebar set w/cap stamped "DEI FIRM #0027"
(M)	Measured
(P)	Platted
(R)	Recorded
(C)	Calculated

All monuments are at grade except as noted.
All Property line distances are recorded
dimensions, except as noted. Monuments found
have no documented history except as noted.

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.





Note: Site plan for illustrative purposes only and shall not be construed as an accurate survey document.